State of Wisconsin

Governor Tony Evers



Veterinary Examining Board

Dr. Hunter Lang, DVM, Chair

VETERINARY EXAMINING BOARD October 20, 2021 9:00am Contact: Melissa Mace 608-279-3861

In Person: Boardroom CR 106, 2811 Agriculture Drive, Madison, WI 53708 Via Internet Access: https://www.zoomgov.com/j/1608134248?pwd=OWJUVkhhNktCdGRwOGV4M3kwOWNPQT09

Via Telephone Access: Dial 1 (669) 254-5252, Meeting ID: 161 813 4248 and participant code: 085088

If you would like to appear during the public appearances portion <u>via the remote portal</u>, please send contact information to Melissa Mace at Melissa.Mace@wisconsin.gov or (608) 279-3861 by 4:30 p.m. Tuesday, October 19, 2021

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

I. 9:00 A.M. OPEN SESSION – CALL TO ORDER – ROLL CALL

- II. Approval of the Agenda
- III. Approval of Board Meeting Minutes A. July 21, 2021 Full Board Meeting (Action Item)
- IV. Introductions, Announcements and Recognition A. Dr. Leslie Estelle, New Veterinarian Board Member

V. Public Comments

Each speaker is limited to five minutes or less, depending on the number of speakers. Each speaker must fill out and submit an appearance card to the Board clerk.

VI. Administrative Items

- A. Election and terms of office (action item)
- B. Budget update (informational)
- C. VPAP Quarterly report (informational)

VII. Licensing/Exam Inquiries

A. YTD credential holder break down (informational)

VIII. American Association of Veterinary State Boards (AAVSB) Matters

- A. 2021 AAVSB annual meeting: September 30 –October 2, Denver Colorado Attendee recap (informational)
- IX. Administrative Code Updates A. Admin rules – VE 1-11 Status (informational)
- X. Legislative and Policy Update) A. Legislative update (informational)
- XI. Strategic Goals A. 2021 Goals (Informational)
- XII. Future Meeting Dates and Times A. 2022 VEB meeting dates

XIII. CONVENE TO CLOSED SESSION (ROLL CALL)

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

XIV. Deliberation on Licenses and Certificates (Action Items)

A. Request for waiver of CE requirement.

XV. Deliberation on Compliance Matters (Action Items)

- A. Proposed Administrative Warnings
 - a. 15 VET 017 PY
 - b. 15 VET 027 LB
 - c. 19 VET 028 SK
 - d. 21 VET 013 VS

B. Proposed Stipulations, Final Decisions and Orders

- a. 18 VET 041 PH
- b. 19 VET 015 NB
- c. 19 VET 080 SK
- d. 20 TECH 004 KS
- e. 20 VET 084 JG
- f. 21 VET 003 JS
- g. 21 VET 008 TY
- h. 21 VET 014JK

- C. Orders Granting Full Licensures
 - a. 20 VET 081 KK
 - b. 20 VET 099 TK
 - c. 21 VET 009 RL
 - d. 21 VET 014 JK
- D. Aged Case Discussion
- XVI. Review of Veterinary Examining Board Pending Cases Status Report A. Pending Case Status Report (Informational)

XVII. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- XVIII. Open Session Items Noticed Above not Completed in the Initial Open Session
- XIX. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- **XX.** Ratification of Licenses and Certificates To delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued.

XXI. ADJOURNMENT

The Board may break for lunch sometime during the meeting and reconvene shortly thereafter.



Governor Tony Evers



Veterinary Examining Board

Dr. Hunter Lang, DVM, Chair

VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, July 21, 2021

MEMBERS PRESENT: Amanda Reese; Diane Dommer Martin, DVM; Alan Holter, DVM; Hunter Lang, DVM; Lyn Schuh; Lisa Weisensel Nesson, DVM.

STAFF PRESENT, Department of Agriculture, Trade and Consumer Protection (DATCP): Melissa Mace, VEB Executive Director; Cheryl Daniels, Aaron O'Neil, and Liz Kennebeck, DATCP Attorneys; Robert Van Lanen, Regulatory Specialist; Angela Fisher, Program and Policy Analyst; Carrie Saynisch, License/Permit Program Associate; Karen Torvell, Program Assistant Supervisor; Dustin Boyd, Compliance Supervisor; Brittany Medina; Introductions and Discussion.

Hunter Lang, Chair, called the meeting to order at 9:08am. A quorum of six (6) members was confirmed.

AGENDA

I. 9:00 A.M. OPEN SESSION – CALL TO ORDER – ROLL CALL

II. Approval of the Agenda

MOTION: Amanda Reese moved, seconded by Alan Holter, to approve the agenda. Motion carried unanimously.

III. Approval of Board Meeting Minutes

A. April 21, 2021 Full Board Meeting

- **MOTION:** Diane Dommer Martin moved, seconded by Alan Holter, to approve the minutes from the April 21, 2021 meeting. Motion carried unanimously.
 - B. July 8, 2021 Credentialing Meeting
- **MOTION:** Amanda Reese moved, seconded by Diane Dommer Martin, to approve the minutes from the July 8, 2021 Credentialing Committee meeting. Motion carried unanimously.

IV. Introductions, Announcements, and Recognition

A. Board Changes (Informational) Another board member beginning next meeting—Leslie Estelle, DVM.

Aaron O'Neil introduced himself as the new VEB attorney. He will be replacing Cheryl Daniels as she goes on sabbatical in August and then eventually retires from state service in February.

V. Public Comments

Each speaker is limited to five minutes or less, depending on the number of speakers. Each speaker must fill out and submit an appearance card to the Board clerk. - No one registered to speak.

VI. Administrative Items

A. Veterinary Professional Assistance Program (VPAP) Update (Informational)

Angela Fisher and Melissa Mace briefly went over information about past seminars, future seminars, highlights and summary reports of usage. Attendance has been low up to this point. Will work on getting better participation.

B. I-Pad update (Informational)

We are working on getting new iPads for all members. We should receive them soon and will disperse them to board members when they come in.

VII. Licensing/Exam Inquiries

VIII. American Association of Veterinary State Boards (AAVSB) Matters

A. 2021 Board Basics and Beyond: April 23-24, Virtual (informational)

Dr. Holter, Dr. Lang, and Amanda Reese were able to attend and shared takeaways from the class. The Wisconsin Veterinary Examining Board met the suggested efficiencies with the exception of closing incomplete applications after 6 months. That process will be reviewed. Another suggestion was to meet with other fellow regulatory boards such as the Pharmacy board. Received a binder with the class information which will be scanned and kept for future board members to peruse.

- B. 2021 AAVSB Annual Meeting: September 30–October 2, Denver Colorado (Action Item) Dr. Lang is unable to attend and is looking for other volunteers to attend. Need to know by the end of July at the latest. Amanda Reese has volunteered but will defer to others since she was just at the Board Basics and Beyond class. Dr. Dommer and Dr. Nesson are interested as well.
- **MOTION:** Amanda Reese moved, seconded by Alan Holter, to request out of state travel approval for Amanda Reese and Dr. Diane Dommer attend the 2021 AAVSB Annual meeting. Motion carried unanimously.

Dr. Nesson may attend as well but decision is dependent on her schedule.

IX. Administrative Code Items

A. VE 1-11 Hearing Draft Consideration (Action Item)

Need to approve the draft rule today so it can go before the DATCP board tomorrow.

MOTION: Lisa Weisensel Nesson moved, seconded by Diane Dommer Martin, to approve Hearing Draft rule DATCP Docket 19-R-07 for hearing and receive public comment as set forth in the Public Hearing Notice. Motion carried unanimously.

X. Legislative And Policy Update

A. Proposed Guidance – Telehealth (Action Item)

Telehealth has become a hot topic with the Covid-19 pandemic restrictions, a new rule is being proposed. There is a lot of confusion on what is and is not allowed. The proposed guidance document attempts to clearly set forth what is required under law. This guidance document does not create any new requirements or apply any new interpretations.

MOTION: Alan Holter moved, seconded by Lisa Weisensel Nesson, to approve VEB-GD-003. Motion carried unanimously.

- B. Legislative update (Informational)
- C. Biennial Budget (Informational)

The creation of a permanent position for complaint investigation was approved. This new full time permanent position will replace the 2 current limited term positions being used for complaint investigation. A transfer of funds from the VEB appropriation to another appropriation, Dog Sellers and Dog Facilities, was approved. This transfer will not create a a budgetary concern for the Veterinary Examining Board.

XI. Strategic Goals

A. 2021 Goals (Informational)

This will be a standing agenda item to help keep on track to accomplish the Goas the VEB set forth in its Strategic Plan. We are making good progress on the meeting our goals:

1. Develop rules for the safe practice of telehealth in Wisconsin and implement them but the end of 2022: Telehealth rule package was approved to go for public comment and a guidance document was also approved.

2. Proactively engage license holders about the value of VPAP with a target of meeting the national average for EAP program utilization by the end of 2023: Semiannual report indicates we are lagging behind other veterinarian type business with utilization. We expect to have lower utilization the employer based plans. We model closer to an association.

3. Close 80% of active disciplinary cases within 12 months of the case opening at screening committee: There have been 14 cases resulting in discipline that have been closed in 2021. 12 of the 14 were closed within 12 months, for a total of 86%

4. Increase outreach to credential holders: We have do send outreach regarding the VPAP monthly, and will be attending the WVMAs August 24th meeting to discuss complaint process and VPAP.

XII. Future Meeting Dates and Times

A. Next Full Board October 20, 2021

XIII. CONVENE TO CLOSED SESSION (ROLL CALL)

MOTION: Amanda Reese moved, seconded by Alan Holter, to convene to closed session to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). Hunter Lang read the language of the motion. The vote of each member by was ascertained by voice vote. Roll Call Vote: Alan Holter – yes; Diane Dommer Martin – yes; Lisa Weisensel Nesson – yes; Lyn Schuh – yes; Amanda Reese – yes; Motion carried unanimously.

XIV. Deliberation on Licenses and Certificates (Action Items) A. Limited License Order EB

- **XV.** Deliberation on Compliance Matters (Actions Items)
 - A. Proposed Stipulations, Final Decisions and Orders
 - 1. 19 VET 082 NW

- 2. 19 VET 091 WA
- 3. 20 VET 081 KK
- 4. 20 VET 099 TK
- 5. 21 VET 015 JB
- 6. 21 VET 016 SW
- B. Orders Granting Full Licensures
 - 1. 16 VET 007 BB
 - 2. 17 VET 007 RB
 - 3. 18 VET 058 CE
 - 4. 19 VET 075 MR
 - 5. 19 VET 082 NW
 - 6. 21 VET 010 JW
- C. Closure
 - 1. 20 VET 078 MB

XVI. Review of Veterinary Examining Board Pending Cases Status Report

A. Pending Case Status Report (Informational)

XVII. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Alan Holter moved, seconded by Amanda Reese, to reconvene to open session. Motion carried unanimously. The Board reconvened at 10:52am.

XVIII. Open Session Items Noticed Above not Completed in the Initial Open Session

XIX. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

- **MOTION:** Diane Dommer Martin moved, seconded by Amanda Reese, to approve the issuance of a limited license to practice veterinary medicine in WI to EB. Motion carried unanimously.
- **MOTION:** Alan Holter moved, seconded by Amanda Reese, to accept the signed stipulation and FDO for 19 VET 082 NW, 19 VET 091 WA, 20 VET 081 KK, 20 VET 099 TK, 21 VET 015 JB, and 21 VET 016 SW. Motion carried unanimously.
- **MOTION:** Amanda Reese moved, seconded by Diane Dommer Martin, to issue an order granting full licensure in the case of 16 VET 007 BB, 17 VET 007 RB, 18 VET 058 CE, 19 VET 075 MR, 19 VET 082 NW, and 21 VET 010 JW. Motion carried unanimously.
- **MOTION:** Amanda Reese moved, seconded by Lisa Weisensel Nesson, to close the case against 20 VET 078 MB. Motion carried unanimously.

XX. Ratification of Licenses and Certificates

MOTION: Amanda Reese moved, seconded by Alan Holter, to delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

XXI. ADJOURNMENT

MOTION: Lisa Weisensel Nesson moved, seconded by Diane Dommer Martin, to adjourn. Motion carried unanimously.

The meeting adjourned at 10:57am.

1) Meeting Date	Oct 20, 2021
2) Requestor Name	Melissa Mace
3) Item Title for the Agenda	Jan election – Officer
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	No
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	 We elect new Board officers and appoint new committee members at the Jan meeting. These changes take effect at the April meeting. Would like to discuss have the term of office run July to July as that is when timely Board appointments change over. This would allow April to be an observation month for those that will take over in July and keep member that hold an office or on a committee but whose terms expire in July 'active'. Update on terms for board members and when they expire. Discussion of replacing Dr. Forbes on the Admin Rules committee for purposes of reviewing comments and proposing modifications, as appropriate, to the hearing draft rule.

Member	Office	Member Type	Practice type	Term Expiration	Notes
Estelle, Leslie	Member	Veterinarian Member	Royal Canin Marketing – small animal	07/01/2025	May be reappointed
Dommer Martin, Diane C.	Vice Chair	Veterinarian Member (mixed	Mixed	07/01/2022 *	May not be reappointed, but may continue to serve until a new appointment is made.
Lang, Hunter	Chair	Veterinarian Member	Large animal	07/01/2023	May be reappointed.
Weisensel Nesson, Lisa M.	Member	Veterinarian Member	Equine	07/01/2023	May not be reappointed, but may continue to serve until a new appointment is made.
Lyn Schuh	Member	Veterinary Technician	Emergency	07/01/2023	May be reappointed.
Arden Sherpe	Member	Public Member	Select Sires	07/01/2023	May be reappointed
Reese, Amanda	Secretary	Public Member	Legal	07/01/2024	May be reappointed.
Holter, Alan N.	Member	Veterinarian Member	Small animal/certified Animal Chiropractic	07/01/2024	Maybe reappointed

2021 Veterinary Examining Board (VEB) Members

• Dr. Dommer is going to resign effective July 2022.

1) Meeting Date	Oct 20, 2021
2) Requestor Name	Dr. Dommer
3) Item Title for the Agenda	Budget Update
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	
6) Is a Public Appearance Anticipated?	no
7) Description of the Agenda	
Item	Quick briefing on the status of the VEB account. Budget report to be distributed at meeting.

1) Meeting Date	July 21, 2021	[
2) Requestor Name	Mace							
3) Item Title for the Agenda	VPAP update	e						
4) Should the Item be in Open or Closed Session?	Open							
5) Are there Attachments? (If yes, include file names)	Yes							
6) Is a Public Appearance Anticipated?	No							
7) Description of the								
Agenda Item	Information	al –	no action needed.					
	VPAP Quarte Seminars hel	•	and Semi-annual updat	e: Distrib	uted at	meeting		
	Opioids and professionals		ction for veterinary	19-Aug	7pm	7 attend	ees	
	Suicide preve Professionals		n for Veterinary	Sept. 23	7pm	16 atten	dees	
	Talking to En	nploy	ees about Difficult					
	Topics			Oct. 14	7pm			
	Seminars cor	ning	up:					
	Welcome			10	D-Nov	Noon		
		holo	gy: Enhancing Your Hap		3-Nov	Noon 7pm		
						/piii		
	Bulletins sen	t:						
	2-Jul-21 Friday	14:40	Welcome to the Veterinary Professional A	ssistance Program		48	81%	0
	13-Jul-21 Tuesday	13:00	New VPAP Resources and Upcoming We	binar		6,119	33%	8
	3-Aug-21 Tuesday	16:25	Veterinary Examining Board Approves Tel	ehealth Guidance		6,412	54%	33
	9-Aug-21 Monday	11:30	New Resources and Upcoming Webinar F	rom the VPAP		6,147	35%	9
	17-Aug-21 Tuesday	13:30	New Webinar for Veterinary Professionals			6,144	29%	14
	8-Sep-21 Wednesday		Upcoming Webinar From the Veterinary P		ce Program	6,127	36%	5
	21-Sep-21 Tuesday	11:05	Webinar on Suicide Prevention Scheduled	for Thursday		6,125	29%	4
L								

1) Meeting Date	Oct 20, 2021
2) Requestor Name	Dr. Dommer
3) Item Title for the Agenda	Credentialing information
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	No
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda	
Item	Provided for the Boards information, no action needed:
	 Total number of credential holders CVT - 2702 Veterinarian – 3986 Total number of new credential holders year to date: New WI licensed veterinarians (203) Licensed by endorsement – 99 Licensed by endorsement – 104 New WI CVT (191) Licensed by examination – 75 Licensed by OTJ – 96 Licensed by endorsement - 20

1) Meeting Date	Oct 20, 2021
2) Requestor Name	M. Mace
3) Item Title for the Agenda	2021 AAVSB annual meeting
4) Should the Item be in Open or Closed Session?	open
5) Are there Attachments? (If yes, include file names)	no
6) Is a Public Appearance Anticipated?	no
7) Description of the Agenda	
Item	Informational
	Quick briefing from those that attended the annual meeting.

1) Meeting Date	10/20/21
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Admin Rules – VE 1-11 Status
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	"Admin Rules Status"
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	Informational:
	 Hearings were held on September 9th and 15th. Written comments were received through September 29th. The final draft will go to the Board for approval in January. After that, the final draft will go to the Governor for approval, and then to the Legislature for passive review. Brief summary of comments will be provided at the meeting.

DAH Rules Estimated Timelines

Future dates are estimates for the purposes of work planning. Last Updated: 9/10/21

	Statement of Scope						Hearing Draft											Final Draft																			
					Initiate	2	Governo	or		Prelin	ninary H	earing ¹		Bo	bard	Info	Info EIA ² Board				Clearinghouse Hearing			Bo	ard	Governor			Le		Adopt	Deadline to Refer	2				
							Governor	Scope		Board	Notice		Record		Board	Advisory		Record		Board		Receive	Notice		Record		Board		Governor			Comm.		JCRAR		to Refer to Legis. (Scope	. Rul
	Topic	Scope #	DATCP Docket #	Clearing- house #	Begin Scope	Scope to Governo		Publish in Register	Materials to OS	Approve Hearing	Publish in Register		Open Until	Materials to OS	Approve Scope	Comm. Meet	Posted for Comment	Open Until	Materials to OS	Approve Draft	Refer to CH	CH	Publish in Register	Hearing Date(s)	Open Until	Materials to OS	Approve Final	Final to Governor	Approve Final	Refer to Legis.	Refer to Comm.	Review Ends	Refer to JCRAR	Review Ends	Rule to LRB	Expires)	Dat
1							· ·	6/8/20	7/6/20	7/23/20;	8/10/20		8/26/20	9/3/20	9/24/20;		6/4/21	6/21/21		7/21/21;	7/29/21	8/30/21	8/9/21	9/9/21;	9/29/21	1/6/22	1/27/22		4/4/22	4/18/22			4/5/23	6/4/23		12/8/22	8/1/2
	Tele									7/29/20					10/21/20	3/25/21;				7/22/21				9/15/21													
																4/8/21																					-
[Rule Pro	ocess Step:	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18	Step 19	Step 20	Step 21	Step 22	Step 23	Step 24	Step 25	Step 26	Step 27	Step 28	Step 29	Step 30	Step 31	Expiration	n Step
		General Pr	-	-	-	90	60	14	21	30	10	7	7	21	30	120	90	60	21	21	7	20	10	14	14	21	90	7	60	14	10	60	10	60	14	30	1-
		(specific	c projections	s may vary)		days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	days	months	mon
					drafting	after	after	after	before	after	after	after	after	before	after	after	after	after	before	after	after	after	before	after	after	before	after	after	after	after	after	after	after	after	after	after	afte
					scope	Step 1	Step 2	Step 3	Step 6	Step 4	Step 6	Step 7	Step 8	Step 11	Step 9	Step 11	Step 11	Step 13	Step 16	Step 14	Step 16	Step 17	Step 20	Step 18	Step 20	Step 23	Step 21	Step 23	Step 24	Step 25	Step 26	Step 26	Step 27	Step 29	Step 30	Step 4	Step 3
				Notes:					7 days OS		Monday	At least 3		7 days OS		Only some		14, 30, or	7 days OS					At least 10		7 days OS					Or next	30 days,		30 days,			1st c
									+ 14 days	Board	after DATCP	days after		+ 14 days		rule	advisory	60 days	+ 14 days					days after publish in		+ 14 days	Board				session if	can be		can be			mont
									Board	meeting	submits to	publish in		Board	meeting	packages will have	comm.		Board	meeting				register		Board	meeting					extended to 60 days		extended to 60 days			after 1 mont
											publish	register				will have								register							-	(+ more if		(+ more if			(+3m
											publish																				even year			hearing)			small b
									1							1														1	cven year	incuring)		(icums)			Sindiru

¹JCRAR may require a preliminary public hearing for the scope statement.

²JCRAR may require a separate, independent economic analysis any time between the EIA posting and the Governor's approval of the final draft. ³The standing committees and/or JCRAR may take actions, including requiring a meeting/hearing, making germane changes, recalling the rule, and introducing legislation.

Ke

White Estimated date

 Blue
 Actual date

 Yellow
 Estimated date requires revision

Red Projection exceeds deadline (scope expires)

1) Meeting Date	10/20/21
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Legislative Update
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments?	"Legislative Update"
(If yes, include file names)	"21-1044_1"
	"21-1046_1"
	"21-1594_1"
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda	This is informational. No Board action is required.
Item	
	Attached is a legislative update summary related to Wis. Stat. ch. 89,
	as well as the bills referenced in the summary.

DAH Relevant Statutes Current Status

2021-2022 Legislative Session Last Updated: 9/10/21

Agency	Ch.	Citation	Торіс	Description	LRB #	Bill #	Recent Status Notes
VEB	89	89.072 (3)	Reciprocal Credentials	Would add language regarding reciprocal credentials for persons licensed in other states and meeting certain requirements.	21-1044/1	SB-469	SB introduced 8/5/21.
	45	45.44 (3) (c) 3.	License Fee	Would add a license fee waiver for veterans' spouses.	21-1046/1	SB-310,	Exec action 5/26/21.
			Waivers			AB-298	
	440	440.01 (1)	Telehealth	Would establish definitions for telehealth in human medicical	21-1594/1,	SB-309,	Public hearing 7/29/21.
				practice.	21-2791/1	AB-296	



State of Misconsin 2021 - 2022 LEGISLATURE

LRB-0146/1 MLJ:cjs

2021 BILL

1 AN ACT to create 45.44 (3) (c) 3. of the statutes; relating to: license fee waivers

for veterans' spouses.

2

Analysis by the Legislative Reference Bureau

Under current law, veterans are eligible for a fee waiver for a variety of state-issued licenses and certifications, including Department of Natural resources licenses, certain occupational licenses, and other miscellaneous licenses. This bill expands eligibility to include the spouse of any veteran included in the current fee waiver program.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

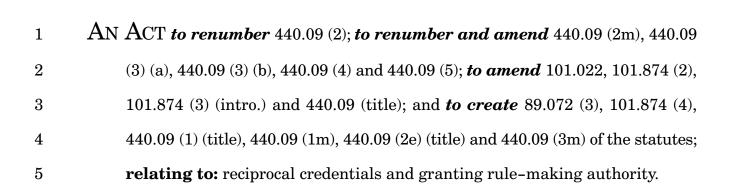
3	SECTION 1. 45.44 (3) (c) 3. of the statutes is created to read:
4	45.44 (3) (c) 3. The spouse or unremarried surviving spouse of a veteran, as
5	defined in s. 45.01 (12), or of a person described in subd. 1. or 2.
6	(END)



State of Misconsin 2021 - 2022 LEGISLATURE

LRB-1044/1 KP:kjf

2021 BILL



Analysis by the Legislative Reference Bureau

This bill establishes a process for credential holders from other states to obtain reciprocal credentials to practice their professions in Wisconsin. Under the bill, a person who applies to the Department of Safety and Professional Services, a credentialing board, or the Veterinary Examining Board, as appropriate, must be granted a reciprocal credential if the person holds a license, certification, registration, or permit granted by another state that qualifies the person to practice the profession authorized under the analogous credential granted by DSPS or the appropriate board. In order to receive the reciprocal credential, an applicant must reside in Wisconsin and satisfy certain other requirements, including that 1) the applicant has held a license, certification, registration, or permit analogous to the credential in another state for at least one year; 2) when the applicant was granted the license, certification, registration, or permit, minimum education and, if applicable, work experience and clinical supervision requirements applied; 3) the applicant has not had a license, certification, registration, or permit revoked; 4) the applicant does not have a complaint, allegation, or investigation pending before a

KP:kjf

BILL

regulating entity in another state or country relating to unprofessional conduct; 5) the applicant passes a criminal background check that applies to applicants for the analogous credential; and 6) the applicant passes an examination on the laws governing practice of the profession in Wisconsin, if such an examination is required for the analogous credential.

The bill generally applies to credentials granted by the Veterinary Examining Board, DSPS, and credentialing boards in DSPS, but does not apply to credentials related to transportation network companies, private colleges, boxing and martial arts, body art and tanning facilities, private detectives, and security guards.

Additionally, a person who applies for a reciprocal credential under the bill during the first year after it takes effect is not required to pay any fee for the credential.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 89.072 (3) of the statutes is created to read:
- 2 89.072 (3) (a) The examining board shall grant a license or certification under
- s. 89.06 to a person who the examining board determines meets all of the following 3
- 4 requirements:
- 5

1. The person applies for a license or certification under this chapter on a form prescribed by the examining board.

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2. The person holds a license, certification, registration, or permit that was granted by another state that qualifies the person to perform the acts authorized under the license or certification granted by the examining board and all of the following apply:

11 a. The person has held that license, certification, registration, or permit for at 12 least one year.

13b. When the person was granted the license, certification, registration, or 14 permit, there were minimum education requirements in effect, and the other state 2021 - 2022 Legislature

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- verifies that the person met those requirements in order to receive that license,
 certification, registration, or permit.
- 3

3. The person establishes residence in this state.

4 4. The person previously passed all examinations required for the license,
5 certification, registration, or permit in the other state, if required by the other state.

5. The person has not had his or her license, certification, registration, or
permit revoked and has not voluntarily surrendered a license, certification,
registration, or permit in another state or country while under investigation for
unprofessional conduct.

6. The person has not had discipline imposed by a regulating entity in another state or country, except that if a regulating entity in another state or country has taken disciplinary action against the person, the examining board shall determine if the cause for the action was corrected and the matter resolved, and if the matter has been resolved, the examining board shall issue the license or certification if the other requirements in this paragraph are satisfied.

7. The person does not have a complaint, allegation, or investigation pending
before a regulating entity in another state or country that relates to unprofessional
conduct. If the individual has any complaint, allegation, or investigation pending,
the examining board shall suspend the application process and may not issue or deny
a license or certification to the person until the complaint, allegation, or
investigation is resolved.

8. The person does not have an arrest record, as defined in s. 111.32 (1), or a
conviction record, as defined in s. 111.32 (3), that would disqualify the person from
being granted a license or certification under this chapter.

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- 9. The person passes an examination on the laws and rules related to practicing
 under a license or certification under this chapter.
- 3 10. The person pays the fee established under s. 89.063.
- 4 (b) The examining board shall promulgate rules to implement par. (a) but may
 5 not require any requirements other than those specified in par. (a) to be satisfied in
 6 order for a person to be granted a license or certification under par. (a).
- 7 **SECTION 2.** 101.022 of the statutes is amended to read:

8 **101.022 Certain laws applicable to occupational licenses.** Sections 9 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),10 <math>440.075, 440.09 (2), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15, 440.19, 440.2011 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the requirements imposed 12 on the department under those statutes, apply to occupational licenses, as defined 13 in s. 101.02 (1) (a) 2., in the same manner as those statutes apply to credentials, as 14 defined in s. 440.01 (2) (a).

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SECTION 3. 101.874 (2) of the statutes is amended to read:

16 101.874 (2) The department may enter into a reciprocal agreement with 17another state under which credentials issued to electricians, electrical apprentices, 18 electrical contractors, and electrical inspectors by either state are recognized as 19 comparable credentials by the other state. Under Except as provided under sub. (4), 20under the agreement, the department may recognize credentials from the other state 21only if the education, experience, and examination requirements in the other state 22are at least equivalent to the education, experience, and examination requirements 23for being issued credentials under this subchapter.

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SECTION 4. 101.874 (3) (intro.) of the statutes is amended to read:

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1 101.874 (3) (intro.) Upon entering into an agreement under this section, the $\mathbf{2}$ department may issue a credential under the agreement only if all of the following 3 apply: **SECTION 5.** 101.874 (4) of the statutes is created to read: 4 5101.874 (4) Notwithstanding any agreement the department enters into under 6 this section, the department shall grant a reciprocal credential under s. 440.09 (3m) 7 to an individual who meets the requirements under s. 440.09 (3m). **SECTION 6.** 440.09 (title) of the statutes is amended to read: 8 9 440.09 (title) Reciprocal credentials for service members, former 10 service members, and their spouses. **SECTION 7.** 440.09 (1) (title) of the statutes is created to read: 11 12 440.09 (1) (title) DEFINITIONS. 13**SECTION 8.** 440.09 (1m) of the statutes is created to read: 14 440.09 (1m) RECIPROCAL CREDENTIALS; GENERALLY. In addition to any provisions 15allowing an individual to be granted a reciprocal credential, an individual may be 16 granted a reciprocal credential under sub. (2e) or (3m). Subject to sub. (2e) (c), an 17individual who is granted a reciprocal credential under sub. (2e) or (3m) shall 18 otherwise be considered to hold the applicable credential under, and be subject to, the applicable provisions governing that credential. 19 20 **SECTION 9.** 440.09 (2) of the statutes is renumbered 440.09 (2e) (a). 21**SECTION 10.** 440.09 (2e) (title) of the statutes is created to read: 22440.09 (2e) (title) RECIPROCAL CREDENTIALS FOR SERVICE MEMBERS, FORMER 23SERVICE MEMBERS. AND THEIR SPOUSES. 24**SECTION 11.** 440.09 (2m) of the statutes is renumbered 440.09 (2e) (b) and 25amended to read:

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1	440.09 (2e) (b) If an individual is unable to provide documentation <u>under this</u>		
2	subsection that the individual is a service member, former service member, or the		
3	spouse of a service member or former service member, the individual may submit an		
4	affidavit to the department or credentialing board, as appropriate, stating that the		
5	individual is a service member, former service member, or the spouse of a service		
6	member or former service member.		
7	SECTION 12. 440.09 (3) (a) of the statutes is renumbered 440.09 (2e) (c) 1. and		
8	amended to read:		
9	440.09 (2e) (c) 1. A reciprocal credential granted under this section subsection		
10	expires on the applicable renewal date specified in s. $440.08(2)(a)$, except that if the		
11	first renewal date specified in s. $440.08(2)(a)$ after the date on which the credential		
12	is granted is within 180 days of the date on which the credential is granted, the		
13	credential expires on the 2nd renewal date specified in s. $440.08(2)(a)$ after the date		
14	on which the credential is granted.		
15	SECTION 13. 440.09 (3) (b) of the statutes is renumbered 440.09 (2e) (c) 2. and		
16	amended to read:		
17	440.09 (2e) (c) 2. The department or credentialing board, as appropriate, shall		
18	grant a renewed reciprocal credential <u>under this subsection</u> to an applicant who pays		
19	the renewal fee specified under s. 440.05 (2) and satisfies the requirements that		
20	apply for renewing that credential.		
21	SECTION 14. 440.09 (3m) of the statutes is created to read:		
22	440.09 (3m) Reciprocal credentials for out-of-state credential holders.		
23	(a) Except as provided in par. (b), the department and each credentialing board shall		
24	grant a reciprocal credential to an individual who the department or credentialing		
25	board determines meets all of the following requirements:		

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1 1. The individual applies for a reciprocal credential under this subsection on 2 a form prescribed by the department or credentialing board.

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2. The individual holds a license, certification, registration, or permit that was
granted by another state that qualifies the individual to perform the acts authorized
under the appropriate credential granted by the department or credentialing board
and all of the following apply:

a. The individual has held that license, certification, registration, or permit forat least one year.

b. When the individual was granted that license, certification, registration, or
permit, there were minimum education requirements and, if applicable, work
experience and clinical supervision requirements in effect, and the other state
verifies that the individual met those requirements in order to receive that license,
certification, registration, or permit.

14

3. The individual establishes residence in this state.

4. The individual previously passed all examinations required for the license,
certification, registration, or permit in the other state, if required by the other state.

5. The individual has not had a license, certification, registration, or permit revoked and has not voluntarily surrendered a license, certification, registration, or permit in another state or country while under investigation for unprofessional conduct.

6. The individual has not had discipline imposed by a regulating entity in another state or country, except that if a regulating entity in another state or country has taken disciplinary action against the individual, the department or the credentialing board shall determine if the cause for the action was corrected and the matter resolved, and if the matter has been resolved, the department or the 2021 - 2022 Legislature

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credentialing board shall grant the reciprocal credential if the other requirements in this paragraph are satisfied.

7. The individual does not have a complaint, allegation, or investigation pending before a regulating entity in another state or country that relates to unprofessional conduct. If the individual has any complaint, allegation, or investigation pending, the department or credentialing board shall suspend the application process and may not grant or deny a reciprocal credential to the individual until the complaint, allegation, or investigation is resolved.

8. The individual does not have an arrest record, as defined in s. 111.32 (1), or
a conviction record, as defined in s. 111.32 (3), that would disqualify the individual
from being granted that credential under the applicable provisions governing that
credential.

9. The individual passes an examination on the laws of this state, if required
for other applicants for that credential under the applicable provisions governing
that credential.

16 10. The individual pays all applicable fees, including the fee specified under s.
17 440.05 (2).

(b) 1. Paragraph (a) does not apply to any credentials or other forms of
permission granted pursuant to an interstate compact or to the extent that its
application conflicts with an interstate compact.

2. Paragraph (a) does not apply to the extent that its application conflicts withany federal law.

3. Paragraph (a) does not apply to any credentials or activities regulated under
s. 440.26, subch. IV or V of ch. 440, or ch. 444, 463, or 470.

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1 The department and any credentialing board to which this subsection (c) $\mathbf{2}$ applies shall promulgate rules to implement par. (a) but may not require any 3 requirements other than those specified in par. (a) to be satisfied in order for an individual to be granted a reciprocal credential under par. (a). 4 5 SECTION 15. 440.09 (4) of the statutes is renumbered 440.09 (2e) (d) and 6 amended to read: 7 440.09 (2e) (d) The department or credentialing board, as appropriate, shall expedite the issuance of a reciprocal credential granted under this section 8 9 subsection. 10 **SECTION 16.** 440.09 (5) of the statutes is renumbered 440.09 (2e) (e) and 11 amended to read: 12440.09 (2e) (e) The department or credentialing board, as appropriate, may 13 promulgate rules necessary to implement this section subsection. 14 SECTION 17. Nonstatutory provisions. 15(1) RECIPROCAL LICENSES; TEMPORARY FEE WAIVER. Notwithstanding ss. 89.063, 16 89.072 (3) (a) 10., 101.82 (4), 440.05, and 440.09 (3m) (a) 10. and the applicable fee 17provisions in chs. 440 to 480, a person who submits an application for a reciprocal 18 credential under s. 89.072 (3) or 440.09 (3m) no later than the first day of the 13th 19 month beginning after the effective date of this subsection is not required to pay any 20 fee for an initial reciprocal credential. 21(END)



State of Misconsin 2021 - 2022 LEGISLATURE

LRB-1594/1 JPC:ekg&cjs

2021 BILL

1 AN ACT to renumber and amend 250.15 (1); and to create 250.15 (1) (b), 250.15

 $\mathbf{2}$

(2) (d), 440.01 (1) (ab), (bm), (dg) and (hm) and 440.17 of the statutes; **relating**

3

to: funding for free and charitable clinics and defining telehealth.

Analysis by the Legislative Reference Bureau

This bill defines "free and charitable clinics" as health care organizations that use a volunteer and staff model to provide health services to uninsured, underinsured, underserved, economically and socially disadvantaged, and vulnerable populations and that meet criteria specified in the bill. The bill incorporates into statutory language an allocation made in the biennial budget act, 2019 Wisconsin Act 9, that requires the Department of Health Services to give \$500,000 in grants annually to free and charitable clinics.

Additionally, this bill incorporates the definitions of "telehealth" and other related terms from the Medical Assistance program into the statutory chapters that pertain to occupational licensing. "Telehealth" means a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or a consultation or are used to transfer medically relevant data about a patient. The bill requires the Department of Safety and Professional Services and any attached examining board or affiliated credentialing board to define and use "telehealth" and related terms consistent with this bill in all promulgated rules.

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 SECTION 1. 250.15 (1) of the statutes is renumbered 250.15 (1) (intro.) and 2 amended to read:
- 3 250.15 (1) <u>DEFINITION DEFINITIONS</u>. (intro.) In this section, "community:
- 4 <u>(a) "Community</u> health center" means a health care entity that provides
- 5 primary health care, health education and social services to low-income individuals.
- 6 **SECTION 2.** 250.15 (1) (b) of the statutes is created to read:
- 250.15 (1) (b) "Free and charitable clinics" means health care organizations
 that use a volunteer and staff model to provide health services to uninsured,
 underinsured, underserved, economically and socially disadvantaged, and
 vulnerable populations and that meet all of the following criteria:
- 11 1. The organizations are nonprofit and tax exempt under section 501 (c) (3) of 12 the Internal Revenue Code or are a part of a larger nonprofit, tax-exempt 13 organization.
- 14

2. The organizations are located in this state or serve residents in this state.

- 3. The organizations restrict eligibility to receive services to individuals who
 are uninsured, underinsured, or have limited or no access to primary, specialty, or
 prescription care.
- 18

4. The organizations provide one or more of the following services:

- 19 a. Medical care.
- 20 b. Mental health care.
- 21 c. Dental care.

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d. Prescription medications. 1 $\mathbf{2}$ 5. The organizations use volunteer health care professionals, nonclinical 3 volunteers, and partnerships with other health care providers to provide the services 4 under subd. 4. 56. The organizations are not federally qualified health centers as defined in 42 USC 1396d (l) (2) and do not receive reimbursement from the federal centers for 6 7 medicare and medicaid services under a federally qualified health center payment 8 methodology. 9 **SECTION 3.** 250.15 (2) (d) of the statutes is created to read: 10 250.15 (2) (d) To free and charitable clinics, \$500,000. 11 **SECTION 4.** 440.01 (1) (ab), (bm), (dg) and (hm) of the statutes are created to 12 read: 13 440.01 (1) (ab) "Asynchronous telehealth service" means telehealth that is 14 used to transmit medical data about a patient to a health care provider when the transmission is not a 2-way, real-time interactive communication. 15(bm) "Interactive telehealth" means telehealth delivered using multimedia 16 permits 17communication technology that 2-way, real-time. interactive 18 communications between a health care provider at a distant site and the patient or the patient's health care provider. 19 20 "Remote patient monitoring" means telehealth in which a patient's (dg)medical data is transmitted to a health care provider for monitoring and response if 2122necessary. "Telehealth" means a practice of health care delivery, diagnosis, 23(hm)24consultation, treatment, or transfer of medically relevant data by means of audio, 25video, or data communications that are used either during a patient visit or a

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consultation or are used to transfer medically relevant data about a patient.
 "Telehealth" includes asynchronous telehealth services, interactive telehealth, and
 remote patient monitoring.

4 **SECTION 5.** 440.17 of the statutes is created to read:

5 **440.17 Telehealth.** If the department, an examining board, or an affiliated 6 credentialing board promulgates rules related to telehealth, the department, the 7 examining board, or the affiliated credentialing board shall define "telehealth" to 8 have the meaning given in s. 440.01 (1) (hm).

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(END)

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1) Meeting Date	July 21,2021
2) Requestor Name	Melissa Mace
3) Item Title for the Agenda	Strategic Plan goals – update
4) Should the Item be in Open or Closed Session?	Y
5) Are there Attachments? (If yes, include file names)	Ν
6) Is a Public Appearance Anticipated?	Ν
7) Description of the Agenda Item	 GOALS Develop rules for the safe practice of telehealth in Wisconsin and implement them but the end of 2022. Hearing draft approved and went to hearing and public comment. Published a guidance document on telehealth Proactively engage license holders about the value of VPAP with a target of meeting the national average for EAP program utilization by the end of 2023. See Quarterly report (Distributed in meeting) Close 80% of active disciplinary cases within 12 months of the case opening at screening committee. 10 of the 31 were closed within 12 months, for a total of 61%. 10 of those cases was opened in 2018 11 of those cases were opened in 2019 8 of those cases were opened in 2020 11 of those cases were opened in 2021 Increase outreach to credential holders. Presented at WVMA meeting in Hortonville. Sent a 'newsletter' with notification of telehealth guidance and proposed rules to all credential holders.

1) Meeting Date	10-20-21
2) Requestor Name	M. Mace
3) Item Title for the Agenda	2022 VEB meeting dates
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda	Traditionally held on the third Wednesday of the month, unless
Item	Board members have conflicts:
	Proposed dates for 2022: January 19 April 20 July 20 October 19 2021 dates for reference: January 20 April 21 July 21 October 20